

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

TAYLA GREENE

as administrators of the estate of the decedent

RONALD GREENE

Plaintiff

V.

Civil Action

No. 20-0578

TROOPER DAKOTA DEMOSS and MASTER

TROOPER CHRIS HOLLINGSWORTH and

MASTER TROOPER KORY YORK and

SERGEANT FLOYD MCELROY and

LIEUTENANT JOHN CLARY and CAPTAIN

JOHN PETERS and COLONEL KEVIN

REEVES and DEPUTY SHERIFF

CHRISTOPHER HARPIN and DOE 1-5

and JOHN DOE CORPORATION 1-3

Defendants.

**PLAINTIFF TAYLA GREENE’S RESPONSE IN OPPOSITION
TO DEFENDANT’S MOTION TO DISMISS**

Plaintiff Tayla Greene as administrator of the estate of Ronald Greene through the undersigned counsel hereby file this Response in Opposition to Defendant Kevin Reeves' Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff incorporates by reference the attached Memorandum as though fully set forth at length.

//s// Ronald Haley

Ronald Haley, Esquire

HALEY AND ASSOCIATES

8211 Goodwood Blvd Ste E,

Baton Rouge, LA 70806

//s// *Mark V. Maguire*

Mark V. Maguire, Esquire

McELDREW YOUNG PURTELL

123 South Broad Street

Philadelphia, PA 19109

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Defendants.

MAY IT PLEASE THE COURT:

Tayla Greene (“Plaintiff”) as administrator of the estate of Ronald Greene through the undersigned counsel, hereby files this in Response to Defendant Kevin Reeves’ Motion to Dismiss and avers as follows:

1. On October 5, 2020 Plaintiff filed her First Amended Complaint wherein she alleges in Count III that all Defendants denied Plaintiff her constitutionally protected right of access to this honorable court by intentionally concealing the true facts about Ronald Greene's death, which would form the basis for Plaintiff's claims for redress. (Doc. 25)
2. On October 26, Defendants DeMoss, York, Floyd, Clary, and Peters filed Motions to Dismiss Plaintiff's First Amended Complaint. (Docs. 30,31)
3. On November 11, 2020 Plaintiff filed Responses to Defendants' Motions to Dismiss.

(Docs. 37, 38)

4. On December 11, 2020 Magistrate Judge Karen L. Hayes recommended that Count III of Plaintiff's First Amended Complaint be dismissed without prejudice. (Doc. 46)
5. On December 29, 2020 this honorable court adopted the recommendation of Magistrate Judge Hayes and issued an Order dismissing Count III of Plaintiff's First Amended Complaint without prejudice. (Doc. 51)
6. On December 31, 2020 Defendant Reeves filed a Motion to Dismiss Count III of Plaintiff's First Amended Complaint. (Doc. 52)
7. Within his Motion, Reeves relies upon the arguments set forth by DeMoss, York, Floyd, Clary, and Peters and requests that Count III of Plaintiff's First Amended Complaint be dismissed without prejudice. (Doc. 52)
8. Plaintiff hereby asserts that Reeves' Motion is moot as the Court dismissed Count III without prejudice on December 29, 2020.
9. Plaintiff files this Response to preserve the arguments set forth in her Responses to Defendants DeMoss, York, Floyd, Clary, and Peters' Motions to Dismiss. Moreover Plaintiff preserves and asserts those arguments against Defendant Kevin Reeves for purposes of any future proceedings or appeals.

//s// Ronald Haley
Ronald Haley, Esquire
HALEY AND ASSOCIATES
8211 Goodwood Blvd Ste E,
Baton Rouge, LA 70806

//s// Mark V. Maguire
Mark V. Maguire, Esquire
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Defendants.**

CERTIFICATE OF SERVICE

I hereby certify that I will make a true and correct copy of Plaintiff's Response to Motion to Dismiss available on the PACER ECF system which will send an electronic notice to all participating counsel of record.

//s// Mark V. Maguire
Mark V. Maguire, Esquire
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